

**MINUTES OF THE 19 NOVEMBER 2008  
TRINIDAD PLANNING COMMISSION MEETING  
7:05**

**I. ROLL CALL**

Chairman Mike Morgan called the meeting to order at 7:05pm. Commissioners in attendance were Mike Morgan, Bryce Kenny, and Richard Johnson. Council Liaison Kathy Bhardwaj was present. Trever Parker and Robin Fraser represented staff in attendance. Carol Rowe has submitted her resignation.

**II. APPROVAL OF MINUTES – October 15<sup>th</sup>, 2008**

**Motion** *(Kenny/Johnson) to approve with revision to Kim Tays' comment on page 4.*

**III. APPROVAL OF AGENDA**

Items 1 and 2 were reversed. No motion was made.

**IV. ITEMS FROM THE FLOOR**

Chi-Wei Lin

Commended Commissioners Rowe, Morgan, and Kenny on their service as Commissioners and gave a personal Thank You as well.

**V. AGENDA ITEMS**

**Discussion / Decision / Public Hearing / Action**

1.Trinidad 2008-07: Design Review and Coastal Development Permit for Gateway Project improvements near the entrance to town including safety and pedestrian improvements (sidewalks, ramps, crosswalks, etc.) along Main St. and adjacent intersections from the Hwy 101 overpass to Trinidad Elementary School. Located within the public right-of-way.

Parker presented the staff report. The project requires a coastal development permit, which can be granted through the city only through the design review process. Funding is needed from Cal Trans for final plans to be approved. Staff recommends CEQA exemptions for this project. Cal Trans wants design review approval prior to funding being released. The City Council will have to approve the project regardless of the Commission decision tonight.

There is no zoning related to street right-of-ways.

Open to the Commission:

Johnson-

Commended the City Engineer for quick work and review of the design. He expressed concern that the design only includes the hardscaping, but not artistic portions of the design. No funding is specifically set aside for the artistic features of the Gateway project. He had hoped for attendance by the City Engineer to address this lack of funding. While recognizing that this is only a preliminary design, he is disturbed that artistic elements have not yet been addressed, as they are the main focus of the Gateway design.

Kenny-

Parker had said the coastal development permit is needed to acquire funding. Johnson responded that the gateway project is already funded. The statement of work includes both hardscaped and artistic elements. Approximately \$109K is currently banked. Johnson was reluctant to go into many details without the City Manager's presence. Parker responded that her understanding was that the biggest chunk of HR3 funding is not allowed to fund artistic projects, but the other funding source is, so HR3 funding is used first. Her understanding was that the Gateway was an artistic design and the street improvements have developed along the way. The artistic elements would be included in the final design. Johnson again expressed disappointment at the absence of the City Engineer and the lack of focus on the artistic elements that had been the focus of the Gateway Committee, which has been meeting for two years. Morgan said if the permit is passed tonight it is an okay to go after funding. Parker said that the design could be approved with conditions such that the Council could approve final funding allocations, while requiring final design approval by the Planning Commission to allow for revisions taking into account public comment. Johnson accepted the possibility of conditions.

Open to Public Comment:

Brad Twoomey- 128 Himalaya

Asked about the budget for the Gateway project being included in the packet. Asked if the money described in the new document is all HR3 money or not.

Parker stated that TEA Gateway grant money may be used for artistic elements after safety improvements are made. Pedestrian improvements may be scaled back to allow for more artistic funding to be left over. Johnson's concern is that the project (not including artistic elements) comes to about 500K. Brad noted a 62K budget for improvements to the gas station driveways. Binnie noted that the budget list has wishes toward the end. Johnson clarified that the budget does not even include artistic elements in the wish list. Kenny asked about what details are considered artistic beside the underpass mural. Johnson mentioned a number of other elements including the teardrop-shaped area, more in the underpass, and others. The mural might be of lower priority due to cost.

Chi-Wei Lin

When he set up the Gateway committee the original idea was for a \$150,000 project, which increased, but was never enough to include hardscape, landscape, and artistic elements. There is about a 12-year history to the project. There should be a clear indication of the monies going toward landscaping.

Bartlett asked why the pedestrian elements came before the artistic elements.

Twoomey said the committee had not developed a satisfactory artistic design. The Cal Trans never paid for a sidewalk originally because of the question of ownership of some areas by either the City or Cal Trans. Costs have increased, ADA requirements are more enforced, so pedestrian elements took priority. Cal Trans put in 5 ramps of their own accord. A Cal Trans representative had suggested a Safe Routes to School grant. The application was not accepted, so the City waited a year to reapply. During that period the Cal Trans representative suggested the HR3 grant. The City Engineer put in for two grants. HR3 funding was granted for over 400K, some of which is limited to the underpass. Cal Trans is now studying this overpass for earthquake retrofitting, which is now delaying any Gateway work that may be affected by that construction, which may be up to 5 years away. The areas where the bike lockers are now and further north can still be worked on in the meantime.

Jeff Proust, Principal of Trinidad School

He was involved in the Safe Routes to School study group with Chief Thrailkill, Shirley Laos, Mike Morgan, etc, and had not heard more from the City about updates. He found out this on the agenda due to citizen communication. He would appreciate intentional inclusion and communication with school administration for feedback and participation in this matter. He raised questions about whether the new design would be safer for students or not. It may take out up to half a dozen parking spaces. He gave details on parking impact of the design on school traffic. Traffic slowing by bulbouts may realistically be anti-student.

Morgan noted the danger of parked cars right at the crosswalk in terms of visibility. The decision on the table might be for giving a pass to get funding, with a further opportunity for community involvement.

Proust noted that the crossing guards are provided by Trinidad Rancheria and are doing a great job.

Barbara Snell

Proust covered most of her points. She lives on Main Street, where big trucks pass, making very wide turns to get into the grocery store. Parking is related to Main Street commerce as well as the School. The design took away the only two parking spaces for RVs on Main Street. Asked about maintenance of bulbouts with planters. Taking away parking will not beautify Trinidad. Big trucks and the ambulance could not fit down Main Street with the bulbouts.

Open to response from Commission-

Kenny asked if benefits of the design were weighed against detriments, particularly related to the safety. He was unsure about even conceptual approval because of the issues raised.

Morgan noted that the design was also new to the Planning Commission. Twoomey said the bulbout designs came from the Engineer, not the Committee.

Morgan thinks the design needs to come back to Planning before approval, but inquired about being able to keep the grant funding rolling without approval.

Parker has a lot of questions about the design, but they don't fall into zoning. Any number of street improvements would be permissible under this type of project. A couple of options are to continue the CDP hearing, approve it with a CEQA exemption, or approve the permit while wording the motion carefully to allow for revision of specifics and for final design approval by the commission.

Johnson would like to keep projects moving forward due to schedule and funding consequences of further delay. He would like to enable Cal Trans to pursue funding if possible. He suggested bringing comments back to the Gateway Committee for recommendations for redesigns to be presented back to the Commission.

Kenny suggested making a list of conditions: notify the school and Barbara Snell; have the engineer work on the design in public meetings, and incorporate tonight's public comments; forward the minutes to the engineer and Gateway Committee; prioritize hardscape details to save money for artistic elements; and require final design approval by the Planning Commission.

**Motion** *(Kenny/Johnson) to approve project with the following conditions: for any further meetings with discussion actions connected to the project, the School and the Snells shall be notified; the design details require final review by the Planning Commission via the Gateway Committee; the improvements to the streets may include elements in this application, but not necessarily all elements, particularly the controversial bulbouts; and that tonight's public comments be forwarded to the Engineer. Passed unanimously.*

2. Bhardwaj 2008-06: Design Review and Coastal Development Permit to construct a single-story living room addition of 87 sq. ft. to an existing 877 sq. ft. single-family dwelling on an approx. 7,800 sq. ft. lot. 308 Ocean Ave; APN: 042-061-23.

Parker presented staff report. The health department has recommended approval. Staff recommends approval. The project is 330 ft away from Kenny's house, and 350 ft from Morgan's house.

Johnson asked if the deck would be replaced. Bhardwaj mentioned that the old deck was 14': part of which would be the new addition, and part would remain a deck. The work being completed at his time is dry rot repair.

Open to Public Comment:

Parker reviewed the Small Jurisdiction Exception available to Trinidad from the FPPC. This project and the commissioners involved meet all 6 requirements.

**Motion** *(Johnson/Kenny) Passed unanimously.*

3. General Plan Update: Discussion / action – Land Use Element, land use designations and map; tasks and schedule update.

Kenny suggested using the Microsoft Word thing “Track Changes”

Parker reviewed the changes she had made in response to prior discussions.

Johnson suggested having a public committee for editing the wordsmithing after the PC crafts content. Parker agreed that text is less important than policy. Clarity and intent are more important than grammar. The previous General Plan update was done with a similar editorial process as Johnson suggested.

Morgan would like to keep moving content to the Council with the wordsmithing coming after their input on policy.

Parker suggested taking public input on where we want to see the City go.

Patti Fleschner-

She would be interested in second unit and vacant property policies in the Plan. interested in addressing vacant property through the plan. She mentioned police involvement with six marijuana busts recently and would like to see the Plan discourage growing. Morgan mentioned that it is an issue for law and/or ordinance. He thanked her for bringing the issue forward. He mentioned that landlords can stipulate visitation policies in a lease to monitor renter activity. Snell mentioned a 24-hour notification requirement for landlords to visit tenants.

Jennifer Fraser mentioned traffic on Edwards with excessive speed, related to the increase in rentals downhill. Parker noted that vacation rental policies are on the radar.

Snell asked why there are no speed humps or bumps in town. They would reduce speed along Main Street, which related the topic back to the Gateway design elements. Vacation rentals should conform to parking regulations as they are tax-paying businesses. Parker noted that we have no ordinance regulating vacation rental parking. The Commission discussed vacation rentals a couple years back related to noise, septic issues, and community character. Strong feelings exist on both sides. Commercial Policies 7 and 8 in the General Plan draft are related to vacation rentals. The City does not hold them to higher standards than residences. Specific regulations would need to be put in an ordinance.

The Commission agreed to convene Dec. 3 to smooth the transition of outgoing and incoming commissioners.

## **VI. STAFF REPORT**

Parker mentioned that the Attorney’s memo regarding Conflict of Interest had been distributed to the Commission. She would like examples of “substantial evidence” as mentioned in the memo.

Substantial progress is being made on the Clean Beaches Grant. The first 75 properties have been identified. Sampling is being done to locate contamination sources. The program is an education and incentive program, not a regulatory one.

## **VII. COUNCIL LIAISON**

Bhardwaj attended a talk given by Dr. Ann Linsey from County Health on General Plan effect on health, with a 45-page summary. Of three categories of development, Trinidad falls in the most healthful one.

Most Police Departments are not enforcing grow house policies. Trinidad Police has been making it a priority.

Two pitbulls have been coming into town wreaking havoc. Please notify Trinidad Police if they are seen.

The City is representing the Rancheria for a couple of grant applications.

Bryan Buckman presented possible future requirements and consequent necessary upgrades to the water plant at the most recent Council meeting.

The City Manager is working hard on relations between John Frame and other community members. Trail signs placed recently have been controversial. The museum and library park road grant has also hit potholes.

## **VIII. ADJOURNMENT**

**Motion** *(Johnson/Kenny) to adjourn. Passed unanimously.*